

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

LYNN MACY, as an individual,

Plaintiff,

v.

CSA-18 SPECIAL DISTRICTS PUBLIC  
WORKS, a public entity

Defendants.

Case No. 5:24-cv-00902-KK-DTB

**[PROPOSED] ORDER RE  
DEFENDANT CSA-18 SPECIAL  
DISTRICTS PUBLIC WORKS' RULE  
12(b)(6) MOTION TO DISMISS  
PLAINTIFF'S FIRST AMENDED  
COMPLAINT**

Date: July 25, 2024

Time: 10:00 a.m.

Location: George E. Brown, Jr.  
United States Courthouse  
3470 12th Street, Courtroom 4,  
Riverside, CA 92501

Case Assigned to:

Honorable District Court Judge Kenly Kiya  
Kato

Referred to:

Honorable Magistrate Judge David T.  
Bristow

**TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

Defendant CSA-18 SPECIAL DISTRICTS PUBLIC WORKS' ("Defendant") Motion to Dismiss Plaintiff Lynn Macy's ("Plaintiff") First Amended Complaint for Damages ("FAC") pursuant to Federal Rule of Civil Procedure 12(b)(6) came on hearing on July 25, 2024, at 10:00 a.m., before the Honorable Magistrate Judge David T. Bristow in Courtroom 4, at 3470 12th Street, Third Floor, Riverside, California 92501.

The Court has reviewed all moving and opposing papers regarding Defendant's Motion to Dismiss Plaintiff Lynn Macy's FAC. The Motion was made pursuant to Fed. Rule Civ. Proc. § 12(b)(6). Upon consideration of all related moving documents, opposing papers, and pleadings on file in this matter as well as the oral arguments and determining that good cause appearing herein, this court finds that:

1. Plaintiff's first claim for relief for "unreasonable search" fails to state a claim upon which relief can be granted against this moving Defendant.
2. Plaintiff's second claim for relief for Municipal and Supervisorial Liability, Monell, fails to state a claim upon which relief can be granted against this moving Defendant.
3. Plaintiff's third claim for relief intentional infliction of emotional distress fails to state a claim upon which relief can be granted against this moving Defendant.
4. Plaintiff's fourth claim for forced demolition permit fails to state a claim upon which relief can be granted against this moving Defendant.
5. Plaintiff's fifth claim for forced demolition permit fails to state a claim upon which relief can be granted against this moving Defendant.
6. Plaintiff's sixth claim for forced demolition permit fails to state a claim upon which relief can be granted against this moving Defendant.

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**PROOF OF SERVICE**

I am employed in the County of San Bernardino, State of California. I am a citizen of the United States, employed in the County of San Bernardino, State of California, over the age of 18 years and not a party to nor interested in the within action. My business address is 385 North Arrowhead Avenue, Fourth Floor, San Bernardino, CA 92415-0140.

On June 20, 2024, I served the following documents (*specify*): **[PROPOSED] ORDER RE DEFENDANT CSA-18 SPECIAL DISTRICTS PUBLIC WORKS' RULE 12(b)(6) MOTION TO DISMISS PLAINTIFF'S FIRST AMENDED COMPLAINT**

I served the documents on the persons below, as follows:

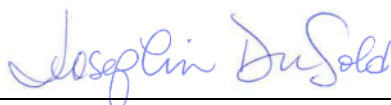
Lynn Macy, in Pro Per  
P.O. Box #103  
Twin Peaks, CA 92391  
Tel: 909-744-8480  
Email: [1611Bible.us@gmail.com](mailto:1611Bible.us@gmail.com)

☒ **By United States Mail.** I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses listed above and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

☒ **By e-mail or electronic transmission.** Pursuant to California *Code of Civil Procedure* § 1010.6(e), per agreement of parties, I caused the documents to be sent to the persons at the e-mail addresses listed above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws of the United States of America, that the above is true and correct.

DATED: June 20, 2024

  
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Josephine DuSold, Declarant